



03CO
#3

PATENT
ATTORNEY DOCKET NO. 112280-121US CN

Certificate of Mailing: Date of Deposit: <u>June 22, 2001</u>	
I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
<u>Angela Stone</u> Printed name of person mailing correspondence	<u>Angela Stone</u> Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Margaret P. Opolski	Art Unit:	TBD
Serial No.:	09/855,923	Examiner:	TBD
Filed:	May 15, 2001	Customer No.:	23483
Title:	WATER-BASED HYDROPHILIC COATING COMPOSITIONS AND ARTICLES PREPARED THEREFROM		

Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY TO NOTICE TO OF OMITTED ITEMS
OR IN THE ALTERNATIVE
PETITION UNDER 37 C.F.R § 1.182

In reply to the Notice to File Missing Parts of Application mailed June 6, 2001, Applicant hereby informs the United States Patent Office that the applicant intends to rely on its filing date of May 15, 2001 (option III).

It appears that the photocopy of the application submitted to the patent office inadvertently omitted pages 20 and 21 of the specification Applicant submits, however, that the missing pages are part of the specification *as filed* by virtue of its filing under 37 C.F.R. §1.53(b) as a continuing application. The application was unambiguously filed as a continuation application by virtue of its designation as such on the Utility Patent Application Transmittal and

the Application Data Sheet (copies enclosed). In addition, the full specification of the parent application was explicitly made part of the application in a Preliminary Amendment filed with the application indicating that the entirety of the patent application was incorporated. A copy of the relevant portions of the Preliminary Amendment also is enclosed.

For the convenience of the Examiner, copies of missing pages 20 and 21 are supplied.

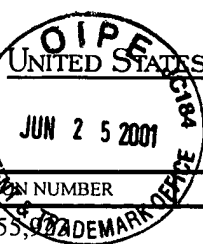
If the examiner determines that the above information is best submitted as evidence supporting Applicant's position that the papers were actually deposited with the application (option (I) of the Notice of Omitted Items), the examiner is directed to consider this submission as a Petition under 37 C.F.R. §1.182 and is authorized to charge the petition fee set forth in 37 C.F.R. §1.17(h) to our Deposit Account No. 08-0219.

If there are any charges, or any credits, please apply them to Deposit Account No. 08-0219.

Respectfully submitted,

Date: June 22, 2001

Mary Rose Scozzafava
Mary Rose Scozzafava
Reg. No. 36,268



UNITED STATES PATENT AND TRADEMARK OFFICE

HALE & DORR DOCKETING

RE: 112280.121 USCN

Action Date: 8-6-01 *BAR*

Action by: Commissioner for Patents
UNITED STATES PATENT AND TRADEMARK OFFICEDocketed by: ag WASHINGTON, D.C. 20231
www.uspto.gov 6.11.0

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/855,000	05/15/2001	Margaret P. Opolski	028.02.121 US CN

23483
HALE AND DORR, LLP
60 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 4361

FORMALITIES LETTER



OC00000006151171

Date Mailed: 06/06/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 20 & 21 of the specification (description and claims).

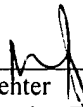
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COOPY

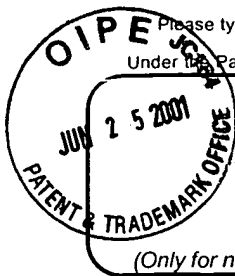
PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box → ☒

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	112.280.121 US CN
First Inventor	Margaret P. Opolski
Title	Water Based Hydrophilic Coating Compositions
Express Mail Label No.	EL384946743US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>31</u>] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u> </u>] 5. Oath or Declaration [Total Pages <u> </u>] a. <input type="checkbox"/> Newly executed (original or copy) Copy from a prior application (37 CFR 1.63 (d)) b. <input checked="" type="checkbox"/> (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies
ACCOMPANYING APPLICATION PARTS	
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: <u>Revocation.. Power of Atty....</u>	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 08 / 796.987

Prior application information:

Examiner: Judy M. Reddick

Group Art Unit: 1713

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

Name	Mary Rose Scozzafava 23483				
PATENT TRADEMARK OFFICE					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

Name (Print/Type)	Mary Rose Scozzafava	Registration No. (Attorney/Agent)	32,268
Signature	<i>Mary Rose Scozzafava</i>	Date	<i>May 15, 2001</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



COPY

Initial Information Data Sheet

Inventor Information

Inventor One Given Name:: Margaret P.
Family Name:: Opolski
Postal Address Line One: 399 Concord Street
City:: Carlisle
State or Province:: Massachusetts
Country:: United States
Postal or Zip Code:: 01741
Citizenship Country:: US

Correspondence Information

Correspondence Customer Number:: 23483

Application Information

Title Line One: Water-Based Hydrophilic Coating
Title Line Two:: Compositions and Articles
Title Line Three:: Prepared Therefrom
Application Type:: Utility
Docket Number:: 028.02.121 US CN

Representative Information

Representative Customer Number:: 23483

Continuity Information

This application is a:: Continuation of
>Application One:: 08/796,987
Filing Date:: February 7, 1997